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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,141	10/23/2003	Jin Shenghao	15865.8a.1	9173
22913	7590	07/06/2006	EXAMINER	
WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER & SEELEY) 60 EAST SOUTH TEMPLE 1000 EAGLE GATE TOWER SALT LAKE CITY, UT 84111			HAWK, NOAH CHANDLER	
			ART UNIT	PAPER NUMBER
			3636	

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/692,141	SHENGHAO ET AL.	
	Examiner	Art Unit	
	Noah C. Hawk	3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/28/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Terminal Disclaimer

1. The terminal disclaimers filed on 2/28/06 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of any patent granted on Application Numbers 10/681975 or 10/699740 have been reviewed and is accepted. The terminal disclaimers have been recorded.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 2/28/06 was filed after the mailing date of the Non-Final Office Action on 9/28/05. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner. Foreign Patents BE 650578 and DE 341007 have been crossed out because they fail to include an English abstract, a translation or a statement of relevance.

Oath/Declaration

3. The Office notes the applicant's explanation that Ai Wen and Arvin Patel are the same person (as stated on page 15 of the Amendment filed 2/28/06). Therefore, the oath/declaration included in the original filing is deemed acceptable.

Drawings

4. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawings filed 2/28/06 fail to show reference number 11.

Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

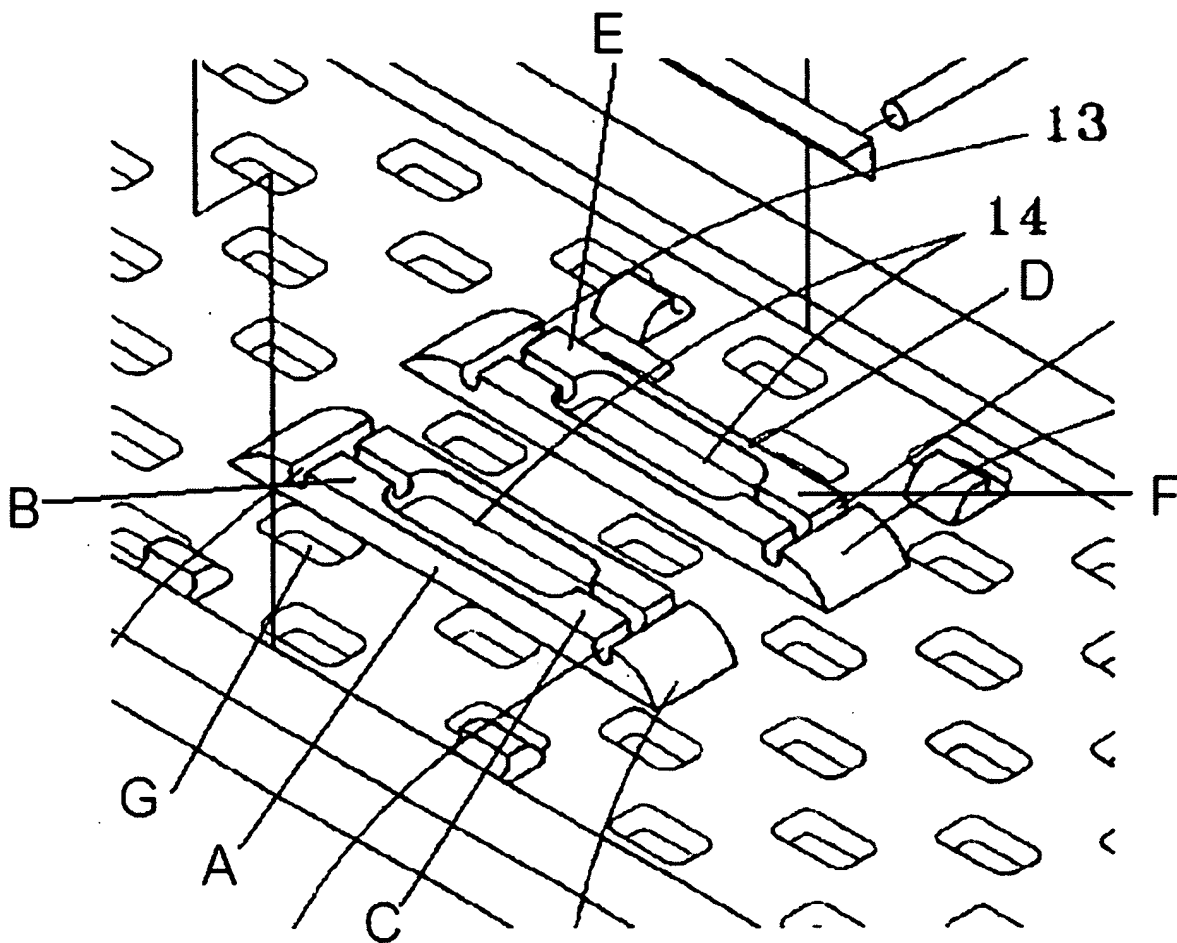
A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 27-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Lin in US Publication 2003/0233967.

a. Regarding Claims 27 and 28, Lin teaches a table with a blow molded tabletop (see Lin, paragraph 0017 “table plate 1 is made by a blow molding method”) with first and second leg assemblies (23) movable between extended and collapsed positions, a support assembly having a first (A) and second (D) mounting structures integrally formed in the table top, first and second support

members (27), first and second crossbars (26), and a recessed portion (G) formed in the outer surface of the mounting structure to form at least part of a handle.



Lin, Figure 1 (detail)

b. Regarding Claim 29, Lin further teaches that the mounting structures have a generally C-shaped configuration and first (B and E respectively) and second

(C and F respectively) ends and that the mounting structures are spaced apart from and facing each other.

c. Regarding Claim 30, Lin further teaches that the first and second ends of the first and second mounting structures are aligned and spaced apart from each other.

d. Regarding Claim 31, Lin further teaches a recessed portion (G) integrally formed in the lower portion of the tabletop to form at least part of the handle.

7. Claims 32-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Lin in US Publication 2003/0233967.

e. Regarding Claims 32 and 33, Lin teaches a table with a blow molded tabletop (see Lin, paragraph 0017 "table plate 1 is made by a blow molding method") with first and second leg assemblies (23) movable between extended and collapsed positions, a support assembly having a first (A) and second (D) mounting structures integrally formed in the table top, first and second support members (27), first and second crossbars (26), and a recessed portion (G) formed in the lower surface of the tabletop to form at least part of a handle.

f. Regarding Claim 34, Lin further teaches that the mounting structures have a generally C-shaped configuration and first (B and E respectively) and second (C and F respectively) ends and that the mounting structures are spaced apart from and facing each other.

- g. Regarding Claim 35, Lin further teaches that the first and second ends of the first and second mounting structures are aligned and spaced apart from each other.
- h. Regarding Claim 36, Lin further teaches a recessed portion (G) integrally formed in the outer surface of the first mounting structure to form at least part of the handle.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in US Publication 2003/0233967 in view of Buono in US Patent 6622644.

- i. Regarding Claim 18, Lin teaches a table having a tabletop of blow molded plastic (see Lin, paragraph 0017 "table plate 1 is made by a blow molding method") with first and second leg assemblies (23) movable between an extended position and an collapsed position, a support assembly between the two leg assemblies and comprising first and second support members (27) and first and second crossbars (26). Lin fails to teach a handle connected to the first and second crossbars. Buono teaches a table with a support assembly between the legs and having crossbars (30) with a handle (40) connected between them.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the table of Lin by adding a handle between the crossbars of the support assembly as taught by Buono in order to provide the user a convenient means for picking up the table.

j. Regarding Claim 19, Lin, as modified, further teaches that the support assembly comprises a first mounting structure (A) formed in the tabletop having a generally C-shaped configuration with a first end (B) and a second end (C) with the first support member connected between the first and second end and a second mounting structure (D) formed in the tabletop having a generally C-shaped configuration with a first end (E) and a second end (E) with the second support member connected between the first and second end.

k. Regarding Claim 20, Lin, as modified, further teaches that the generally C-shaped mounting structures face each other.

l. Regarding Claim 21, Lin, as modified, further teaches that the ends of the mounting structures are generally aligned and spaced apart from each other.

m. Regarding Claim 22, Lin, as modified, further teaches a frame connected to the table top comprising first and second side rails (21).

n. Regarding Claim 23, Lin, as modified, further teaches support braces (25) connected to the leg assemblies and the crossbars of the support assemblies.

o. Regarding Claim 24, Lin, as modified, fails to teach that the handle is spaced apart and offset from the support braces. Buono teaches a handle (42, Best seen in Figure 4) that is spaced and offset from the support braces (22, 24).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Lin, as modified, by using a handle that is spaced and offset from the support braces as taught by Buono in order to allow a stronger attachment between the handle and the crossbars.

10. Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin, as modified, as applied to Claim 18 above. Lin, as modified, fails to teach that the support members have apertures to receive the crossbars or that the support members have a generally L-shaped configuration. However, Lin teaches an arrangement of supporting members (the support braces) having a generally L-shaped configuration and having apertures to receive cross members (24). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the support assembly of Lin, as modified, by using generally L-shaped support members having apertures to receive the crossbars as taught by Lin in order to provide a stronger support member and provide a simpler assembly process.

Response to Arguments

11. Applicant's arguments with respect to claims have been considered but are moot in view of the amended claims and new grounds of rejection.

12. The applicant's arguments regarding the Oath/Declaration have been addressed above.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Noah C. Hawk whose telephone number is 571-272-1480. The examiner can normally be reached on M-F 9am to 5:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3636

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NCH
NCH

6/20/06


Peter M. Cuomo
Supervisory Patent Examiner
Technology Center 3600